

July 28, 2005

TO: County Personnel Policy Board Members

SUBJECT: Personnel Policy Board Meeting
Thursday, August 4, 2005
8:30 a.m., Commissioners Hearing Room
County-City Building, Room 112

**NOTE: SPECIAL
MEETING TIME**

A G E N D A

ITEM 1: Request to create the following classification:

<u>CLASS CODE</u>	<u>CLASS TITLE</u>	<u>PROPOSED PAY GRADE</u>
4523	Senior Equipment Operator	A18 (\$31,349.00 – \$40,911.52)

ITEM 2: Request to revise the following classification:

<u>CLASS CODE</u>	<u>CLASS TITLE</u>	
4522	Equipment Operator II	A17

ITEM 3: Request to change the pay grade for the following classifications:

<u>CLASS CODE</u>	<u>CLASS TITLE</u>	<u>CURRENT PAY GRADE</u>	<u>PROPOSED PAY GRADE</u>
5756	Corrections – Sergeant	C20 (\$34,172.32 – \$44,570.24)	C22 (\$37,265.28 – \$48,784.32)
5758	Corrections – Lieutenant	C23 (\$38,952.16 – \$51,130.56)	C24 (\$40,740.96 – \$53,587.04)

ITEM 4: Request to amend Rule 5.7 of the Personnel Rules – Seniority Credit.

ITEM 5: Request to amend Rule 17.19 of the Personnel Rules – Shift Differential.

ITEM 6: Request to amend Rule 19.3 of the Personnel Rules – Sick Leave.

ITEM 7: Request to amend Rule 19.4 of the Personnel Rules – Injury Leave.

ITEM 8: Request to revise Workers' Compensation Personnel Policy Bulletin.

ITEM 9: Miscellaneous Discussion.

LANCASTER COUNTY SENIOR EQUIPMENT OPERATOR

NATURE OF WORK

This is highly skilled work in the operation of heavy road construction and road maintenance equipment.

Work involves responsibility for the safe and efficient operation of heavy construction and road maintenance equipment entailing considerable manipulative ability. This class is distinguished from other classes in that employees in this class must operate any piece of equipment utilized by the County, including but not limited to: motor graders, tandem axle trucks, tractor/trailer (lowboy) rigs, backhoes, paddle scrapers, dozers, and heavy-duty track-type cranes with draglines, as a regular assignment, a minimum of 50% of work time. Employees may perform general laboring duties on a variety of construction type activities as well as all road maintenance activities, and may supervise employees assigned as helpers. Work is reviewed by a technical or an administrative superior who assigns and may inspect work in progress or upon completion and evaluates work for compliance with work schedules, methods and safety practices.

EXAMPLES OF WORK PERFORMED

Operate motor grader and drag in assigned district dragging and scraping roads, grading roads, cutting water channels along roadside, plowing snow and performing related road maintenance functions; operate front-end loader, paddle scraper and dozer to backfill bridges and in the performance of general maintenance of roads and bridges; operate trucks hauling rock, dirt, gravel and related construction materials; use front-end loader to load trucks; operate a tractor/trailer (lowboy) rig when transporting heavy equipment from one district to another; operate heavy duty track type crane with dragline in performing bridge construction and maintenance; operate backhoe when cleaning ditches and laying culverts; operate all types of rotary mowers to mow County right-of-ways; install various equipment attachments including snow plow, sander and motor grader blades; complete daily time sheets and daily traffic sign reports; complete proper logs for lubricants, diesel fuel and gasoline used.

Perform general road maintenance duties such as cutting brush and trees, treating stumps with chemicals, and putting branches and limbs into chipper; install and remove snow fence; repair and maintain culverts; remove and replace damaged sign posts and bridge planks.

Perform labor work in connection with assigned projects; may supervise subordinate employees engaged in general labor and equipment operation on an assigned project.

Perform routine preventive maintenance on equipment operated including checking and changing oil and oil filters, fueling and washing equipment, checking other fluid levels, lubricating, and inspecting and changing tires.

Perform routine building and grounds maintenance such as sweeping, mopping floors and cleaning restrooms and mowing grass using push mowers or riding lawn mowers.

DESIRABLE KNOWLEDGE, ABILITIES AND SKILLS

Considerable knowledge of the operation and maintenance characteristics of a variety of heavy and complex construction and road maintenance equipment.

Considerable knowledge of the operating hazards and safety rules and precautions applicable to the equipment being operated.

Ability to detect needed repairs and to make minor field repairs and adjustments to service equipment.

Ability to communicate effectively both orally and in writing.

Ability to establish and maintain effective working relationships with coworkers and the general public.

Skill in the operation of heavy duty road construction and maintenance equipment.

DESIRABLE TRAINING AND EXPERIENCE

Graduation from a senior high school or equivalent and experience in the operation of heavy-duty construction and maintenance equipment.

MINIMUM QUALIFICATIONS

Graduation from junior high school or equivalent and some experience in the operation of heavy-duty construction and maintenance equipment or any equivalent combination of training and experience which provides the desirable knowledge, abilities and skills.

NECESSARY SPECIAL REQUIREMENT

An employee in this classification must possess and maintain a Nebraska Commercial Driver's License (CDL) with proper endorsement.

Approved by: _____
Department Head

Personnel Director

7/2005

PS4523

LANCASTER COUNTY EQUIPMENT OPERATOR II

NATURE OF WORK

This is skilled work in the operation of heavy road construction and road maintenance equipment.

Work involves responsibility for the safe and efficient operation of heavy construction and road maintenance equipment entailing considerable manipulative ability. This class is distinguished from other classes in that employees in this class must operate motor graders, ~~tandem axle trucks, tractor/trailer (lowboy) rigs, backhoes, paddle scrapers, and dozers, and heavy-duty track-type cranes with draglines,~~ as a regular assignment, a minimum of 50% of work time. Employees may perform general laboring duties on a variety of construction type activities as well as all road maintenance activities, and may supervise employees assigned as helpers. Work is reviewed by a technical or an administrative superior who assigns and may inspect work in progress or upon completion and evaluates work for compliance with work schedules, methods and safety practices.

EXAMPLES OF WORK PERFORMED

Operate motor grader and drag in assigned district dragging and scraping roads, grading roads, cutting water channels along roadside, plowing snow and performing related road maintenance functions; operate front-end loader, paddle scraper and dozer to backfill bridges and in the performance of general maintenance of roads and bridges; ~~operate trucks hauling rock, dirt, gravel and related construction materials;~~ use front-end loader to load trucks; ~~operate a tractor/trailer (lowboy) rig when transporting heavy equipment from one district to another; operate heavy duty track type crane with dragline in performing bridge construction and maintenance;~~ operate backhoe when cleaning ditches and laying culverts; operate all types of rotary mowers to mow County right-of-ways; install various equipment attachments including snow plow, sander and motor grader blades; complete daily time sheets and daily traffic sign reports; complete proper logs for lubricants, diesel fuel and gasoline used.

Perform general road maintenance duties such as cutting brush and trees, treating stumps with chemicals, and putting branches and limbs into chipper; install and remove snow fence; repair and maintain culverts; remove and replace damaged sign posts and bridge planks.

Perform labor work in connection with assigned projects; may supervise subordinate employees engaged in general labor and equipment operation on an assigned project.

Perform routine preventive maintenance on equipment operated including checking and changing oil and oil filters, fueling and washing equipment, checking other fluid levels, lubricating, and inspecting and changing tires.

Perform routine building and grounds maintenance such as sweeping, mopping floors and cleaning restrooms and mowing grass using push mowers or riding lawn mowers.

DESIRABLE KNOWLEDGES, ABILITIES AND SKILLS

Considerable knowledge of the operation and maintenance characteristics of a variety of heavy and complex construction and road maintenance equipment.

Considerable knowledge of the operating hazards and safety rules and precautions applicable to the equipment being operated.

Ability to detect needed repairs and to make minor field repairs and adjustments to service equipment.

Ability to communicate effectively both orally and in writing.

Ability to establish and maintain effective working relationships with coworkers and the general public.

Skill in the operation of heavy duty road construction and maintenance equipment.

DESIRABLE TRAINING AND EXPERIENCE

Graduation from a senior high school or equivalent and experience in the operation of heavy-duty construction and maintenance equipment.

MINIMUM QUALIFICATIONS

Graduation from junior high school or equivalent and some experience in the operation of heavy-duty construction and maintenance equipment or any equivalent combination of training and experience which provides the desirable knowledges, abilities and skills.

~~NECESSARY SPECIAL REQUIREMENT~~

~~When operating equipment that falls under the Nebraska Commercial Driver's License (CDL) status, the employee is required to possess and maintain the proper license and endorsement.~~

Approved by: _____
Department Head

Personnel Director

Revised 4/01
Revised 7/05

PS4522

5.7 Seniority Credit (Revised ~~8/00~~ 8/05)

To the total rating score on a promotional evaluation, ~~.75~~ 1 points for each year of continuous County service shall be added.

17.19 Shift Differential (Revised ~~8/00~~ 8/05)

Except for Lancaster Manor and Corrections employees, status and probationary employees not covered by a labor agreement and who are regularly assigned to second and third shifts shall be paid an additional twenty-three (23) cents per hour. Status and probationary employees not covered by a labor agreement and who are regularly assigned to second and third shifts and who work at Lancaster Manor and Corrections shall be paid an additional forty-five (45) cents per hour. The differential pay per hour shall be included as an addition to their current hourly rate. For purposes of shift differential pay, the following conditions shall apply:

- (a) To be entitled to shift differential pay, an employee must work a majority of his regularly scheduled hours between 5:00 p.m. and 9:00 a.m. This shall not apply to temporary assignments for shift hours between 5:00 p.m. and 9:00 a.m.
- (b) For purposes of computing any shift differential pay, "current hourly rate" shall mean the hourly rate of pay which is applicable to the employee's regularly assigned class.
- (c) An employee whose regularly scheduled shift entitles him to shift differential pay shall receive the shift differential pay as a part of his current hourly rate for leaves of absence including vacation, sick leave, holiday pay and funeral leave.
- (d) For purpose of computing overtime pay, an employee shall receive his current hourly rate in addition to the twenty-three (23) cents or forty-five (45) cents per hour shift differential.

19.3 Sick Leave (Revised ~~10/04~~ 8/05)

(c) An employee may use up to forty (40) hours per calendar year for illness in the immediate family or family medical appointments. ~~Under no circumstances can an employee use more than a total of forty (40) hours for family medical appointments or illness in the immediate family.~~ Upon written request, the Personnel Director may waive the forty (40) hour limit after reviewing the individual circumstances in support of the request.

(d) Immediate family for the purpose of sick leave usage is defined to be spouse, child, parent, step-parent, sister, brother, ~~and employee's grandparents and the parents of the employee's spouse.~~ Immediate family will also include any other family member, whether it be by blood or legal marriage, or legal adoption or foster children, residing in the same household.

19.4 Injury Leave (Revised 8/05)

Any probationary or status employee who is injured in the performance of his duties shall receive the difference between his regular pay and the worker's compensation payment for a period not to exceed ten (10) ~~calendar~~working days from date of injury. Failure to immediately report an incident which may have resulted in injury may cause forfeiture of the additional benefit. Such injury leave shall not be deducted from vacation or sick leave credits.

Personnel Policy Bulletin

Lancaster County

Number: 2002-5-2005-

Date: August, ~~2002~~ 2005

Reference:	Title:
Supersedes Personnel Policy Bulletin 2002-45	WORKERS' COMPENSATION POLICY

WORKERS' COMPENSATION POLICY

I. Workers' Compensation Defined. Workers' Compensation benefits are provided to eligible employees who sustain injury by accident or occupational disease arising out of and in the course of their employment, and who are not willfully negligent at the time of the injury.

II. Reporting Requirements. Any job related injury or disease shall be immediately reported to the employee's department head or available supervisor as soon as possible. The department shall immediately report the incident to the County Risk Manager. A "First Report of Alleged Occupational Injury or Illness", completed by the department and an "Employee Injury or Illness Report", completed by the injured employee and his/her supervisor, should be forwarded to the County Risk Manager in all cases. (See attached sample forms). The employee will have the burden of proof to document the claim by submitting an injury report and medical evidence to support his or her claim.

County Risk Management will investigate the claim to determine if it should be approved as a workers' compensation injury. During this investigation the employee may elect to use other leave options such as sick leave, vacation or personal holiday. If the claim is approved by Risk Management the injured employee's department will convert any sick leave, vacation or personal holiday hours paid to the employee, to injury leave, for hours missed during the first 10 ~~calendar~~ working days. If sick leave, vacation, or holiday pay is paid during a period of Temporary Total Disability beyond 10 ~~calendar~~ working days from the date of the accident the employee will be credited for two-thirds (.6667) of all such hours used during the period of disability.

III. Medical Documentation. Employees requesting time off work due to a work related injury or disease must provide medical documentation that states he/she is unable to perform his/her normal

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work duties. All medical documentation must be provided to the Risk Manager. Prior to returning to duty, the employee must provide a full medical release from a medical provider which specifies all restrictions, if any, upon the employee's ability to perform his or her full range of duties. Modified Duty will be allowed only as specified in Paragraph VII herein.

IV. Injury Leave. All probationary or status classified employees shall receive the difference between his/her regular pay and the workers' compensation payment for a period not to exceed 10 ~~calendar~~ working days from the date of injury. FOP, Lodge 29, employees shall receive the difference between his/her regular pay and the workers' compensation payment for a period not to exceed 60 calendar days from the date of injury. Such injury leave shall not be deducted from vacation or sick leave credits and will be listed as injury leave on the employee paycheck. Failure to immediately report an accident which resulted in an injury may cause forfeiture of this additional benefit. Unclassified employees, other than sheriff deputies, are not entitled to injury leave but are entitled to workers' compensation benefits provided in the Nebraska Workers' Compensation Act.

V. Temporary Total Disability Benefits. If injury leave has expired and the employee still requires time off work, the employee is eligible to receive Temporary Total Disability workers' compensation benefits (TTD) administered by Risk Management. TTD is based on two-thirds (.6667) of the employee's Average Weekly Wage (AWW) at the time of the injury, with a maximum benefit set each year by the Nebraska Workers' Compensation Act. AWW is established from a wage history covering the time period 26 weeks prior to the date of the injury.

All employees have the option of supplementing the amount of TTD benefits received with vacation or personal holiday hours so that the benefit equals the employee's normal salary for the pay period. Unrepresented classified employees, unclassified employees and members of the FOP, Lodge 29 (Deputy Sheriffs), FOP, Lodge 32 (Corrections) and AFSCME, Local 2468, bargaining units may also

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supplement their workers' compensation benefits with sick leave hours. It is the employee's responsibility to inform his/her department head that he/she intends to supplement workers' compensation benefits with paid leave. No employee shall receive a salary (workers' compensation plus regular pay or paid leave) in excess of his/her normal wage.

VI. Temporary Partial Disability Benefits. If the employee can return to work on a part-time basis and provides the department head written permission from his/her medical provider to do so, the employee will receive injury leave, if not yet expired, or Temporary Partial Disability (TPD) if all injury leave has expired, for the amount of time still spent away from work. TPD is calculated as the Average Weekly Wage at the time of the injury minus salary earned for the week(s) in question and then multiplied by .6667. Again, employees may opt to supplement their TPD benefits with eligible paid leave benefits in order to equal a full paycheck in the manner described in Paragraph V., above.

VII. Modified Duty and Recovery Time. A department, based upon operational needs and at the department head's discretion, may offer modified duty to status and probationary employees who have suffered a work related injury. Prior to modified duty being approved, the employee must provide medical documentation from his/her treating physician which states the employee is unable to perform the essential duties of his/her current position but is able to work a modified duty assignment. Modified duty is considered temporary and will be reviewed three months after the assignment to determine whether it will be extended beyond the initial three-month period.

The maximum amount of recovery time, including modified duty, should not exceed 6 calendar months from the date of injury. If the employee cannot return to full duty after 6 months from the date of injury, the employee may be separated from employment. However, if the employee provides medical documentation indicating a strong likelihood that the employee can return to full duty within a reasonable time period, the department head may extend the recovery time depending upon business

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needs and pursuant to the Americans with Disabilities Act (ADA), if applicable. Likewise, if the employee can perform the essential functions of his/her position with some modifications, the department will make reasonable efforts to accommodate the employee. If the employee cannot return to full duty and there are no reasonable accommodations available, the employee may be eligible for workers' compensation benefits such as retraining or vocational rehabilitation.

VIII. Insurance Premiums And Other Benefits. Health insurance, dental insurance and other applicable insurance benefits will continue with the appropriate employer contribution. Employees must continue to pay the employee share of the insurance premiums and are responsible for coordinating payment of said premiums with the County Clerk's Office.

In order to continue accruing vacation and sick leave hours, and to qualify for holiday pay, an employee must be in a pay status. Vacation and sick leave hours will accrue based upon the number of hours the employee is in a pay status. To be in a pay status the employee must request that his/her workers' compensation benefits be supplemented with available paid leave benefits in order to equal a full paycheck in the manner described in Paragraph V. If the employee is not supplementing his workers' compensation benefits with available paid leaves, the employee is in a non pay status.

In order to qualify for holiday pay an employee must be in pay status on his/her regular work day immediately before and after the holiday. If a holiday occurs during the time period injury leave is paid, holiday hours are paid in lieu of injury leave hours. If a holiday occurs after injury leave has expired and the employee is receiving workers' compensation benefits, the employee will receive holiday pay only if the employee is in a pay status on his/her regular work day immediately before and immediately after the holiday. An employee in pay status shall receive enough holiday hours to a figure equivalent to a full work day for that day. The employee should not receive the full eight hours of holiday pay. An employee on workers' compensation leave who is not supplementing his/her leave with paid benefits, is not in a pay status and therefore does not qualify for holiday pay.

Personnel Policy Bulletin

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Pursuant to County Personnel Rule 19.7, the Personnel Officer must be notified in writing when an employee's leave without pay status exceeds thirty (30) calendar days. Additionally, any employee on leave without pay status exceeding thirty (30) calendar days will have their eligibility date adjusted pursuant to County Personnel Rule 19.12.

IX. Other Provisions. This policy should be read in conjunction and coordinated with all applicable contract provisions, personnel rules and all state and federal laws including, but not limited to, the Nebraska Workers' Compensation Act, the Americans With Disabilities Act (ADA) and the Family and Medical Leave Act (FMLA).

Georgia Glass, Don Taute, Personnel Director

Date

Bob Workman, Larry Hudkins, Chairman
Board of County Commissioners

Date

WCOMP

ALLEN L. OVERCASH
PAUL M. SCHUDEL
EDWARD H. TRICKER
WM. LEE MERRITT
JOSEPH H. BADAMI
KERRY L. KESTER
ROBERT B. EVNEN
JOEL D. HEUSINGER
TERRY C. DOUGHERTY
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PLEASE RESPOND TO THE LINCOLN OFFICE

2005 JUL 21 PM 3 13

CITY COUNTY PERSONNEL

Larry Hudkins, Chair
Lancaster County Board of Commissioners
County-City Building
555 South 10th Street, Room 110
Lincoln, Nebraska 68508

Re: Lancaster County Personnel Policy Board

Mr. Hudkins

With regret, I hereby tender my resignation from the Lancaster County Personnel Policy Board, effective July 18, 2005. My resignation is necessitated by the fact that the Governor has appointed me to the State Board of Education.

I am deeply grateful to the Commissioners for having appointed me to the Personnel Board. Participation on the Board has been very rewarding personally, and I hope that my service has been satisfactory. The County staff, the employee representatives, and especially my fellow Board members, all have made this assignment an excellent experience.

Thank you again for having given me this opportunity to serve the citizens of Lancaster County.

With best regards, I remain

Very truly yours,



Robert B. Evnen
of WOODS & AITKEN LLP

RBE:rk
cc: Mr. Don Taute